

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ALEX KELLUM,

Plaintiff,

vs.

NEBRASKA HUMANE SOCIETY,

Defendant.

**8:21CV36**

**MEMORANDUM AND ORDER**

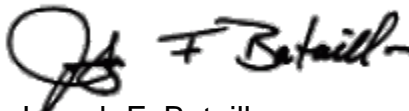
This matter is before the Court on the Notice of Appeal, [Filing No. 27](#), seeking to appeal the Court's Memorandum and Order, [Filing No. 26](#), denying Plaintiff's Motion for Leave to Amend, [Filing No. 25](#), and the Clerk of Court's Memorandum concerning Plaintiff's eligibility to proceed on appeal in forma pauperis, [Filing No. 28](#).

On January 18, 2023, the Court directed Plaintiff to submit a certified trust account statement so the Court could assess Plaintiff's initial partial appellate filing fee as required by [28 U.S.C. § 1915\(b\)\(1\)](#). [Filing No. 32 at 3](#). The Court warned Plaintiff that failure to submit the trust account statement would result in denial of leave to proceed in forma pauperis on appeal. [Filing No. 32 at 3](#). Plaintiff has failed to submit a certified trust account statement or otherwise respond to the Court's Memorandum and Order.

IT IS THEREFORE ORDERED: Petitioner may not proceed on appeal in forma pauperis.

Dated this 28th day of March, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon  
Senior United States District Judge